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PATENT

Case Docket No. DEXCOM.8DVCP2

Date: June 14, 2004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Shults, et al.  
Appl. No. : 09/916858  
Filed : 27-Jul-2001  
For : DEVICE AND METHOD FOR  
DETERMINING ANALYTE  
LEVELS  
Examiner : Nasser, R. L.  
Group Art Unit : 3736

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

June 14, 2004

(Date)

Rose M. Thiessen, Reg. No. 40,202

## TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) An Information Disclosure Statement.
- (X) A PTO Form 1449 with 7 references.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- (X) Return prepaid postcard.

Rose M. Thiessen  
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**INFORMATION DISCLOSURE STATEMENT**

Applicant : Shults, et al.  
App. No. : 09/916858  
Filed : July 27, 2001  
For : DEVICE AND METHOD FOR  
DETERMINING ANALYTE LEVELS  
Examiner : Nasser, R. L.  
Group Art Unit : 3736

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed is form PTO-1449 listing 7 references that are also enclosed.

This Information Disclosure Statement is being filed before the mailing date of a final action under 37 C.F.R. § 1.113 and before the mailing date of a Notice of Allowance under § 1.311. A certification under 37 C.F.R. § 1.97(e) is set forth below. Thus, no fee is required as set forth in 37 C.F.R. § 1.97(c).

**CERTIFICATION UNDER 37 C.F.R. § 1.97(e)(1)**

I hereby certify that each item of information contained in this Statement was first cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

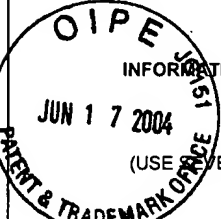
Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: June 14, 2004

By: 

Rose M. Thiessen  
Registration No. 40,202  
Attorney of Record  
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FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. DEXCOM.8DVC2	APPLICATION NO. 09/916858
 <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>(USE SEVERAL SHEETS IF NECESSARY)</p>		APPLICANT Shults, et al.	
		FILING DATE July 27, 2001	GROUP 3736

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
	1	5569462	10/29/96	Martinson, et al.			
	2	5282848	2/1/94	Schmitt, P.			
	3	4240889	12/23/80	Yoda, et al.			

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	4	WO92/13271 A	8/6/92	PCT				
	5	EP 534074 A	3/31/93	EPO				x
	6	FR 2656423 A	6/28/91	France				x

EXAMINER INITIAL	OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)
	7 Supplementary European Search Report for EP 98 90 8875 (search completed April 20, 2004)

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EXAMINER	DATE CONSIDERED
<p>*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.</p>	